

Page 06

TO: FRYER & ROSS

From: 21 251272947 25292925

Feb-27-07 08:31pm

Received

October 29, 2006

Mr. David L. Becker
Mellon Investor Services
480 Washington Boulevard
Jersey City, NJ 07310

Re: JP Morgan Chase & Co. Stock Sale

Dear Mr. Becker:

I am writing in response to your letter of September 1, 2006 regarding the sale of shares of JP Morgan Chase & Co. from my account held with Mellon Investor Services. As I have advised you, I did not request or authorize the sale of these securities and I have never received or negotiated any check for the proceeds of any such sale. Moreover, as you have acknowledged in your letter, I have submitted to you an Affidavit of Forgery dated November 16, 2005 to confirm to you that I did not endorse the related check; a duplicate copy of this Affidavit is attached.

Your response to my request to have my shares returned to my account in kind, together with all dividends thereon, is unacceptable. To say that you cannot compensate me due to the delay between the date of a sale, which I have not requested, and my contacting Mellon Investor Services to inquire about the securities is suspicious. Since I did not request any sale, and my investment held with you was of a long-term nature and the only portion of my net worth held through your institution, I had no reason for regular inquiries. Surely you do not expect investors to maintain regular contact with you to ascertain or verify whether any anomalous activity has occurred in their accounts.

On October 6, 2005, I was advised by Louis Garcia of Mellon Investors Services that, according to your own files, Mellon Investor Services have accepted telephone instructions from a person named Helena Bushroe, a woman, to sell shares of Carlos Augusto Ribeiro Lopes, a man. You have produced no evidence that you had authorization from me to take instruction from this woman, who was obviously not me; in fact, I have never met nor heard of this person. Your acting on unauthorized instructions constitutes gross negligence, which itself is sufficient grounds to support my request, now formally made on several occasions, for a full explanation of the events surrounding the sale and for full compensation for all my damages. Your argument that you will not compensate me because of my alleged delay is bad faith, adding insult to injury. You are aware that I made several attempts to contact you before we finally spoke. Yet, notwithstanding that a substantial amount of time had elapsed since I first addressed my concerns to Mellon Investors Services and that I had left you various messages (as noted above), when we did first speak, you were not even aware of the fact that my shares had been sold based on instructions accepted from a woman. This shows a blatant disregard for your customer and suggests to me that your institution has been trying to avoid handling my complaint.

At this point, I must strongly reiterate my request that I be made whole. As previously stated, I want my shares returned to me in kind and to be credited with cash in an amount equal to all dividends declared or paid on the shares for the period from the date of sale through the date on which the shares are received by me. Securities were sold from my account without my instructions and without my receiving the value thereof through no fault or other action of my own.

Carlos Augusto Ribeiro Lopes
Rua Rainha Guilhermina, 80/301
Rio de Janeiro - RJ - Brazil
cbrilopes@terra.com.br

000106

Carlos Augusto Ribeiro Lopes
Rua Lúcia Guilhermina, 80/301
Rio de Janeiro - RJ - Brazil
cbllopes@uol.com.br

000107

Carlos Augusto Ribeiro Lopes

Very truly yours

If I do not hear from you within 14 days following the date of this letter, I will be forced to pursue appropriate legal action to obtain the fair value of my securities, dividends payments and any and all additional damages caused by your unreasonable actions in handling my account.

David L. Becker
October 29, 2006
Page 2

Received Apr-06-07 01:50pm From- To-FRYER & ROSS Page 08
0000105

United States of America
Consul of the
William J. Wetzelman

Signature of Notary

this NOV 16 2005

Subscribed and sworn to before me

FEDERATIVE
REPUBLIC OF BRAZIL
CITY OF RIO DE JANEIRO
CONSUL GENERAL OF THE
UNITED STATES OF AMERICA

Signature of Payee

CARLOS A LOPES, being duly sworn, deposes and says that he is the person(s) named as payee(s) of check number 1043694, representing the payment for sale of shares, with a payable date of 07/01/04, for drawn on THE CHASE MANHATTAN BANK in the sum of \$95,563.43, and said check endorsement was not written or authorized by said payee and is a forgery.
And deponent does further say that he/she/they has/have not received the proceeds of said check or any part thereof and that this affidavit is made voluntarily and for the purpose of the fact that the signature of the payee is a forgery.

STATE OF: _____
COUNTY OF: BRAZIL
Social Security #: 065906099

AFFIDAVIT OF FORGERY LOSS

Received Feb-27-07 08:31pm From-21 25127947 25292925 To-FRYER & ROSS Page 08
T-958 P.006/006 F-171
Apr-06-2007 02:54pm From-

Page 11

To: FRYER & ROSS

From: 21 25127847 25282825

Received Feb-27-07 08:31pm

NTROL NUMBER: 200510060001613

Assunto: ONTROL NUMBER: 200510060001613

De: "ebelopes" <ebelopes@terra.com.br>

Data: Mon, 17 Oct 2005 23:55:00 -0200

Para: <shrrelations@mellon.com>

Dear Sir or Madam,

On October 6th I contacted you and spoke with Mr. Louis Garcia. I described to him what I have explained previously to other Mellon employees via telephone and e-mail. The explanation was regarding the disappearance of my JP Morgan shares and the fact that I have NOT requested you to sell any of them. Also, I emphatically confirmed to him that I did not know a person with the name of Helena Bushroe. According to him, she is the person recorded in your files that gave you instructions to sell my shares. He mentioned that he would be immediately sending to me a document (which, I understand should be an affidavit forgery) for me to sign in order that you could continue the investigations. However, I have not received any documents for so far. I repeat below my address and I urge you to initiate deep investigations. I expect being compensate for all this inconvenience and recovering my JP Morgan shares without delay.

I look forward to receiving a prompt response from you.

Sincerely,

Carlos A Lopes

ADDRESS

Carlos Augusto Lopes
Rua Rainha Guilhermina, number 80, apto.301
Rio de Janeiro, RJ 22441-120
Brazil

Esta mensagem foi verificada pelo E-mail Protegido Terra.
Scan engine: McAfee VirusScan / Atualizado em 17/10/2005 / Versão: 4.4.00/4606
Proteja o seu e-mail Terra: <http://mail.terra.com.br/>

winmail.dat	Content-Type: application/ms-tnef
	Content-Encoding: base64

000110

18/10/05 00:02